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IRA Case Figures Get Bail

Associated Press

Justice William O. Douglas has granted bail for five Irish-Americans who have been in a Texas prison for 11 weeks for refusing to assist a grand jury investigating possible weapons shipments to the Irish Republican Army in Northern Ireland.

Douglas signed the order Tuesday at his summer home in Goose Prairie, Wash. It was released yesterday by the Supreme Court. An earlier plea for bail was denied in August by Justice Lewis F. Powell Jr. Lawyers for the five New Yorkers claimed that information given the federal grand jury in Tarrant County was based on illegal electronic surveillance by government agents.

The Justice Department conceded that one of the defense lawyers had been overheard in a court-ordered surveillance.

Douglas ruled that the five men, Kenneth Tierney, Matthias Reilly, Daniel Crawford, Thomas Laffey and Paschal Morahan, should be freed until the Supreme Court rules on their appeal.

The court is in recess until Oct. 2.

The Irish-Americans were cited for contempt last June. In addition to the "bugging" allegations they have claimed they were not permitted to consult with their lawyers during the grand jury probe and that the immunity from prosecution offered by the Justice Department did not protect them against the possibility of criminal charges in Britain.

These claims were rejected Aug. 3 by the Fifth U.S. Circuit Court of Appeals in New Orleans.

In a related development, the Irish Northern Aid Committee appealed to Justice Thurgood Marshall for a stay from a ruling that requires the organization to hand over to the FBI its records and lists of contributors.